

SENATE BILL 435

By Rose

AN ACT to amend Tennessee Code Annotated, Title 39,
relative to sexual offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-511(a)(1)(B), is amended by deleting the subdivision and substituting instead the following:

(i) Knowingly invites, entices, or fraudulently induces another into a residence for the purpose of attaining sexual arousal or gratification by intentionally engaging in the following conduct in the presence of another:

- (a) Exposure of the person's genitals, buttocks, or female breasts; or
- (b) Masturbation; or

(ii) Knowingly engages, in the intended presence of another, for the defendant's sexual arousal or gratification, in the following intentional conduct:

- (a) Exposure of the person's genitals, buttocks, or female breasts; or
- (b) Masturbation.

SECTION 2. Tennessee Code Annotated, Section 39-13-511(a)(3), is amended by deleting the subdivision and substituting instead the following:

(3) For subdivision (a)(1)(B)(i) or (a)(1)(B)(ii) to apply:

(A) The defendant must be eighteen (18) years of age or older and the victim must be less than fifteen (15) years of age; or

(B) The victim must not have consented to the conduct.

SECTION 3. Tennessee Code Annotated, Section 39-13-511(b)(2), is amended by deleting the subdivision and substituting instead the following:

(2) If the defendant is eighteen (18) years of age or older and the victim is under fifteen (15) years of age, indecent exposure is a Class E felony.

SECTION 4. Tennessee Code Annotated, Section 39-13-511(b)(3), is amended by deleting the language "Class E felony" and substituting instead "Class C felony".

SECTION 5. This act shall take effect July 1, 2021, the public welfare requiring it.